



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, MARCH 23, 2005

9:00 a.m.
City Council Chambers
Room 205
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **March 23, 2005**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Joe Babiasz (joe.babiasz@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **TR05-016. Tree Removal Permit** to remove one Yellowwood Pine tree (podocarpus), 76 inches in circumference on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the north side of Wentworth Way, approximately 80 feet east of McLaughlin Avenue (1219 Wentworth Way) (Brackett, Robert K. and Loretta L., Owners). Council District 7. CEQA: Exempt.
- b. **TR05-015. Tree Removal Permit** to remove one Eucalyptus tree, 80 inches in circumference on a 0.14 gross acre site in the R-1-8 Single-Family Residence and R-1-8(PD) Planned Development Zoning Districts, located on the north side of Wentworth Way approximately 150 feet east of McLaughlin Avenue (1225 Wentworth Way) (Chatman, Hallet C., Jr., Owner). Council District 7. CEQA: Exempt.
- c. **TR04-063. Tree Removal Permit** to remove one Pine tree 118 inches in circumference on a 0.3 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1500 Camino Monde (Perry Sheldon K & Diane E, Owner). Council District 6. CEQA: Exempt.
- d. **TR04-137. Tree Removal Permit** to remove two Monterey Pines 103" & 98" in circumference on a 0.19 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1485 Ferguson Way (1485 FERGUSON WY) (Moritz Joann, Owner). Council District 1. CEQA: Exempt.

- e. **PD04-078. Planned Development Permit** to install three wireless communications antennas inside a new slimline monopole 60 feet in height at an existing shopping center on a 5.9 gross acre site in the A(PD) Planned Development Zoning District, located at the southeast corner of Copperfield Drive and Vistapark Drive (565 W. Capitol Expressway) (Albertson's, American Stores Realty Corp, Owner; Metro Pcs Inc. Kersten Rutherford, Developer). Council District 10. SNI: None. CEQA: Exempt.
- f. **PD04-063. Planned Development Permit** to allow grading on a vacant 43.5 gross acre lot in the A(PD) Planned Development Zoning District, located on the southeast corner of Almaden Expressway and Chynoweth Avenue (14520 ALMADEN RD) (Santa Clara Land Title Co, Owner; Arcadia Development Co, Developer). Council District 9. SNI: None. CEQA: Addendum to EIR.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **TR04-125. Tree Removal Permit** request to remove one Redwood tree (132" in circumference) on a 0.25 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2798 Agua Vista Drive (Diamond Robert S And Melinda B, Owner). Council District 4. CEQA: Exempt. Deferred from 3/16/05.
- b. **ABC04-014. Liquor License Exception** request to allow for the off-sale of distilled spirits at a grocery store on a 1.4 gross acre site in the A(PD) Planned Development Zoning District, located on the west side of North 1st Street, approximately 100 feet southerly of Trimble Road (2571 N 1ST ST) (Ghb-The Marketplace, Owner). Council District 4. SNI: None. CEQA: Exempt. Deferred from 3/9/05.
- c. **PD04-087. Planned Development Permit** to expand a parking lot serving an existing office building and use of the expanded area as an off-street parking establishment on a 0.82 gross acre site in the A(PD) Planned Development Zoning District, located at/on the southeast corner of The Alameda and Asbury Street (1746 THE ALAMEDA) (Planned Parenthood, Owner). Council District 6. SNI: None. CEQA: Exempt.
- d. The projects being considered are located on the southeast terminus of East San Antonio Street and South 34th Street (1650 E SAN ANTONIO ST), in the A(PD) Zoning District (HOANG HANG-THI AND PHAM THAI, Owner; DKB HOMES MR CHARLES WALTON, Developer). Council District 5. SNI: Gateway East. CEQA: Mitigated Negative Declaration.
 - 1. **PD04-082. Planned Development Permit** to allow for the construction of 19 single-family detached residential units on a 1.75 gross acre site
 - 2. **PT04-125. Planned Tentative Map Permit** to subdivide one parcel into 21 lots for single-family detached residential uses on 1.75 gross acre site.

- e. The projects being considered are located at/on southeast corner of The Alameda and Bush Street (50 BUSH ST), in the A(PD) Planned Development Zoning District (PLANT 51 LLC, Owner). Council District 6. SNI: None. CEQA: Cahill Station Project FEIR Resolution No. 69355, File No. PDC04-096.
 - 1. **PD04-085. Planned Development Permit** to allow adaptive reuse and expansion of an existing building for the construction of 265 single-family attached residences on a 4.2 gross acre site.
 - 2. **PT04-117. Vesting Planned Tentative Condominium Map Permit** to subdivide one parcel into five lots for 265 single-family attached residences on a 4.2 gross acre site.

This concludes the Planning Director's Hearing for March 23, 2005. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/index.htm>

PUBLIC INFORMATION COUNTER

(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

March 16, 2005

PUBLIC HEARINGS

1. DEFERRALS

2. CONSENT CALENDAR

a. SF04-025 APPROVED

3. PUBLIC HEARING

a.	SF04-042	DENIED
b.	PT04-112	APPROVED
c.	PDA80-054-31	APPROVED
d1.	PD04-095	APPROVED
d2.	PT04-128	APPROVED
e.	H04-046	APPROVED
f.	H05-003	APPROVED
g1.	PD04-073	APPROVED
g2.	PT04-093	APPROVED
h.	TR04-125	DEFER TO 3/30/05